

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 2/12/2020

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In Re Novartis and Par Antitrust Litigation :
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DISCOVERY ORDER

18 Civ. 4361 (AKH)

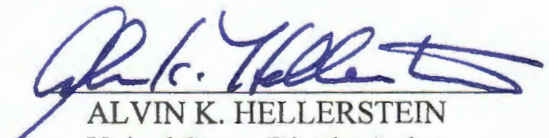
ALVIN K. HELLERSTEIN, U.S.D.J.:

The parties move by joint letter to resolve a discovery dispute. *See* ECF 230. Specifically, the parties dispute the sufficiency of Defendants' response to "Interrogatory 4."

Defendants' objection to Interrogatory 4 is sustained. At this stage of the case, defendants are not required to identify their trial evidence. An interrogatory that requires defendants to identify, not only the patent claims they may assert at trial, but also to identify each and all the limitations within such claims "fully on a limitation-by-limitation basis," and to "identify[] all facts in support thereof, . . . literally and/or under the doctrine of equivalents" requires too much. Defendants, with the exception of Par, have identified the claims of the patents, and the ANDAs, that they consider relevant. (Par shall do the same with respect to ANDAs.) The parties should now move to the next stage of these lawsuits, depositions.

SO ORDERED.

Dated: February 12, 2020
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge